

## **REMARKS**

Claims 1-4, 6-8, and 23-26 are pending.

All pending claims stand rejected under based on Njemanze (U.S. 6,468,219). The instant application is a divisional application U.S. Patent Application Serial No. 09/809,915, which claims the benefit of provisional U.S. Patent Application Serial No. 60/190,272, having a filing date of March 17, 2000. The Njemanze reference has a filing date of April 24, 2000 and therefore does not qualify as prior art under 35 U.S.C. 102(e). Applicant respectfully asserts the rejection is improper and should be withdrawn.

Applicant asserts that the remarks presented herein are fully responsive to the Office Action and are sufficient to overcome the rejections presented in the Office Action. However, there may be other arguments to be made as to why the pending claims are patentable. Applicant does not concede any such arguments by having not presented them herein. Applicant respectfully asserts that the present claims are in condition for allowance. Withdrawal of the instant rejections and issuance of a Notice of Allowance is respectfully requested.

Further, Applicant reserves the right to re-present any originally filed, cancelled, and/or previously unclaimed subject matter in a subsequently filed continuing application without prejudice or disclaimer.

Should any issues remain outstanding, the Examiner is urged to telephone the undersigned to expedite prosecution. The Commissioner is authorized to charge any deficiencies and credit any overpayments to Deposit Account No. 13-2546.

Respectfully submitted,

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